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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/765,045 | 01/28/2004 | Fujihito Numano | 04329.3233 | 9596 |
| 22852 7590 05/22/2007 FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413 | | | EXAMINER CHOW, JEFFREY J | |
| | | | ART UNIT 2628 | PAPER NUMBER |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|-------------------------------|----------------------------------|--|
| Office Action Summary | Application No. 10/765,045 | Applicant(s) NUMANO, FUJIHITO | |
| | Examiner Jeffrey J. Chow | Art Unit 2628 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 April 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5-8, 10-12 and 17-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-8, 10-12 and 17-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claims 1 – 3, 5, 7, 8, 12, and 17 – 28, filed 11 April 2007, have been considered but are moot in view of the new ground(s) of rejection.

The 35 U.S.C. 112, second paragraph, rejection has been withdrawn due to applicant's amendments.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 – 3, 6, 8, 10 – 12, 18 – 20, 22, 24, 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kumazaki (JP 04-367,997) in view of Tamura et al. (US 6,980,251).

Regarding independent claim 1, Kumazaki discloses the CPU 4g that calculates the distance between the remote control switch 4 and the destination notice board (paragraph 40) and based on the distance of the remote control switch 4, the desired information is expanded to the display (paragraph 37 and Figure 10), which reads on the claimed display unit which displays an image and can be remotely controlled by a remote controller. Kumazaki discloses contents that are expanded in the inner square that represents Suzuki's information (Figures 10a and 10b) and the image contents different type of content, such as text, kanji, and numbers (Figures 10a and 10b), which reads on the claimed image including at least one of a plurality of predetermined

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information objects. Kumazaki discloses a table contains position and size of certain types of content and a scale factor (Figure 13), which reads on the claimed management table which stores display attribute information for select ones of the plurality of predetermined information objects. The types of content read on the claimed display attribute information. The table reads on the claimed management table. Kumazaki did not expressly disclose the control unit determines whether or not the management table stores the display attribute information for the image when the display unit displays the image, though Kumazaki discloses a user selects a content to expand (paragraph 42) and the microprocessor reference the destination table to retrieve appropriate information for the associated contents (paragraph 29), however Kumazaki does disclose the microcomputer 301 controls the overall circuit (paragraph 23). Tamura discloses detecting circuit generates the hold OFF signal to reset the data holding circuit if the video zone stored in the image information memory circuit is not present in the entire image of the subject. It would have been obvious for one of ordinary skill in the art at the time of the invention to modify Kumazaki's system with the principles of Tamura's teachings by checking to see whether a selected data exists or not and to hold on any operations relating to the data if it does not exist. One would be motivated to do so because this would help prevent errors to occur and help prevent unwanted data to be magnified. Kumazaki also discloses the CPU 4g which performs a processing for calculating the distance between the remote control switch 4 and the destination noticeboard according to the length of time light is reflected and processing to output a signal depending on the input and where contents of the expand display is expanded based on the distance between the remote control switch 4 and the noticeboard (paragraphs 37 – 41) and expands the content by a scale factor that depends on the distance between the remote control

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switch 4 and the noticeboard (Figure 17), which reads on the claimed control unit magnifies the at least one of the plurality of predetermined information objects of the image indicated by the display attribute information by a magnification ratio based on a distance between the remote controller and the control unit when it is determined that the management table stores the display attribute information.

Regarding independent claim 12, claim 12 is similar in scope as to claim 1, thus the rejection for claim 1 hereinabove is applicable to claim 12.

Regarding dependent claim 2, Kumazaki discloses the remote control switch 4 used for expanding display is comprised of an electrooptical converter 4e provided with a light emitter for measuring the distance between the remote control switch 4 and the destination noticeboard, a photoelectric converter 4f provided with a light-receiving element (paragraph 39), which reads on the claimed distance measuring unit which measures the distance, when receiving a predetermined signal from the remote controller.

Regarding dependent claim 3, Kumazaki discloses a maximum value in where if the distance is greater than or equal to 8m, then to only magnify by 5.84x (Figure 17), which reads on the claimed control unit comprises a distance deciding unit which decides whether the distance exceeds a specified value, when receiving a predetermined signal from the remote controller.

Regarding dependent claim 6, Kumazaki discloses character information being magnified (Figure 10), which reads on the claimed attribute information indicates character information included in the image as the at least one predetermined image object.

Regarding dependent claim 8, Kumazaki discloses operation icon, such as, “away from work”, “X”, and “15:00”, being magnified (Figures 10a and 10b), which reads on the claimed attribute information indicates an operation icon included in the image as the at least one predetermined image object.

Regarding dependent claims 10 and 11, Kumazaki discloses the standard display processing for restoring the display to standard size is performed after a fixed length of time has elapsed (paragraph 41), which reads on the claimed control unit resets/stops a magnifying process according to an external instruction to reset a size of the at least one predetermined image object and the claimed control unit resets/stops a magnifying process to reset a size of the at least one predetermined image object, when the display unit is operated by an operating means other than the remote controller.

Regarding dependent claim 20, Kumazaki also discloses predetermined information is magnified based on distance and the predetermined information is magnified on a display based on distance (Figure 10 and 17), which reads on the claimed magnifying the predetermined information according to control information attached to the image. The scaling factor in Figure 17 is the control information.

Regarding dependent claims 18, 19, 22, 24, 26, and 27, claims 18, 19, 22, 24, 26, and 27 are similar in scope as to claims 2, 3, 6, 8, 10, and 11, thus the rejection for claims 2, 3, 6, 8, 10, and 11 hereinabove is applicable to claims 18, 19, 22, 24, 26, and 27.

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Claims 5, 17, 21, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kumazaki (JP 04-367,997) in view of Tamura et al. (US 6,980,251) and Lee (US 2003/0234799).

Regarding dependent claims 5 and 21, Kumazaki did not explicitly disclose attribute information indicates an entirety of the image as the at least one predetermined image object. Lee discloses the size of the image being adjusted accordingly to the distance between the display apparatus and the user (claim 1). It would have been obvious for one of ordinary skill in the art at the time of the invention to combine Kumazaki's system with Lee's teachings of magnifying the whole image in the display apparatus to magnify the whole image in the display apparatus based on the distance between the display apparatus and the remote control. One would be motivated to do so because this would allow users holding the remote control to clearly see an image in the display apparatus through magnification at a large distance.

Regarding dependent claims 17 and 28, Lee discloses the size of the image being adjusted accordingly to the distance between the display apparatus and the user (claim 1) and Kumazaki restoring the display to standard size is performed after a fixed length of time has elapsed (paragraph 41), which reads on the claimed display unit displays a portion of the image on an entirety of a display screen and the control unit reduces the size of the portion. It would have been obvious for one of ordinary skill in the art at the time of the invention to combine Kumazaki's system with Lee's teachings of magnifying the whole image in the display apparatus to magnify the whole image in the display apparatus based on the distance between the display apparatus and the remote control. One would be motivated to do so because this would allow

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users holding the remote control to clearly see an image in the display apparatus through magnification at a large distance.

Claims 7 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kumazaki (JP 04-367,997) in view of Tamura et al. (US 6,980,251) and Suda (US 2002/0034375).

Regarding dependent claims 7 and 23, Kumazaki did not expressly disclose magnifying subtitle information of the image as the at least one predetermined image object. Suda discloses enlarging subtitles (paragraphs 99 and Figures 9A – 9C). It would have been obvious for one of ordinary skill in the art at the time of the invention to modify Kumazaki's system by enlarging subtitles based on distance. One would be motivated to do so for people who are visually impaired or hearing impaired would be able to see subtitles with convenience at any reasonable distance.

Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kumazaki (JP 04-367,997) in view of Tamura et al. (US 6,980,251) and Ryogi (JP 2001-282210).

Regarding dependent claim 9 and 13, Kumazaki did not explicitly disclose the magnification of predetermined information included in the video contents. Ryogi discloses predetermined information being enlarged based on user selection (Figures 6 and 7). It would have been obvious for one of ordinary skill in the art at the time of the invention to combine Kumazaki's system with Ryogi's teaching of magnifying predetermined information in a video display to magnify predetermined information in a video display based on the distance between

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the display unit and the remote control, which allow users to concentrate on the selective magnified part of the image while leaving the rest of the image the same.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey J. Chow whose telephone number is (571)272-8078. The examiner can normally be reached on Monday - Friday 10:00AM - 5:00PM (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ulka Chauhan can be reached on (571)-272-7782. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JJC


Ulka Chauhan
Supervisory Patent Examiner